

WSDOT/ACEC-WA Project Delivery Team
July 15, 2005
HDR, Bellevue, Washington

Attendees

ACEC

Duncan Findlay
Mary Holland
John Villager

WSDOT

Doyle Dilley
Mike Horton
Ron Landon
Keith Metcalf
Amir Rasaie
Ken Smith
Rick Smith

Review and Finalize Meeting Agenda

It was suggested that this team discuss the EIS process at a future meeting and bring in subject matter experts to discuss ideas for streamlining the process. Oregon has had some successes in streamlining this process. The efficiencies ODOT has put in place are for programmatic permits – getting concurrences in the EIS phase. This improves efficiency in overall project delivery. We are changing our approach on the environmental documents. We probably need to find out what changes are being made first. Schedule this (NEPA) for the November meeting, which will be in a WSDOT facility.

Briefing on Executive Committee Meeting

Duncan Findlay

Draft Recommendation on Co-Location Training

Doyle Dilley

There is discussion in the consultant community and at WSDOT concerning training and co-location. We can ask Transpeed to develop the training, or we can develop training ourselves. Regions and consultant offices that are considering co-locating should visit some co-location sites that are working.

Transpeed class on managing consultants: Staff Development, Mike Rice, and the consultants met to discuss this training; however, no PEs were at the meeting and their input is needed. We have gotten information from the regions regarding how many people will attend and when the training should take place. This class addresses working with consultants – it doesn't include co-location training.

WSDOT recognizes the need for training teams that are going to co-locate. It would be good to develop a recommendation in order to facilitate this.

Action Item: Doyle, John Villager, and Karl develop the co-location recommendation and send a draft out prior to the September meeting so the team will be ready to discuss it.

Reopening the On-Call Register

Rick Smith

WSDOT has not reopened the on-call register. There is discussion to open it for UCO.

The reason to reopen the on-call register is to get more small firms back on board. We have an agreement that we only open the on-call register every two years. There was discussion of how to go to a register that is open all the time.

There is a concern about telling small firms that they have to wait two years until the on-call register is open before they can apply. However, there is agreement with ACEC to only open it at a specific interval. The team agreed that this needs to be looked into.

A suggestion was made to recommend keeping the register open all the time and streamline the application process. Right now, firms have to reapply every year.

Action Item: Duncan Findlay will talk to ACEC to find out why the on-call register is set up the way it is and what they think about it. Mike Horton will send Duncan the RCW, WAC, or CFR that applies.

It is thought that the law says it has to be open “at least once a year.” It used to be just a roster and when a firm was picked they went through the agreement process. The law is focused on the roster, not the agreements. We have to be in compliance with both state and federal laws.

The team should look at the consultant selection and contracting process to see if we can fine tune it.

Recommended Direction for Evaluation of OCIPs for Mega Projects

Duncan Findlay

It was determined that the WSDOT/ACEC-WA Project Delivery group does not need to do any more on this topic.

Revisit Taxation – Exempt Design Component of Design-Build Contracts

Duncan Findlay and Rick Smith

We are not going anywhere with Recommendation No. 2 concerning sales tax right now. There is a WAC that says if it is part of a construction contract, you have to pay sales tax on it. We have proposed legislation for design-build projects to clarify that the contractor is not going to be penalized for the sales tax amount they wouldn't otherwise be paying.

This group does not need to go forward with this.

We are also introducing legislation concerning the performance bond and using design-build on smaller projects.

Status Report: Discussion with Mike Rice regarding Internal Policy of Going (or not) to the AG for Revisions to Time and Dollars Only.

Does this need to go to the AG? The AG only reviews for form.

There was a question whether these need to come to Headquarters. Why not delegate them to the regions. This concern is being addressed, but this doesn't address the issue of going to the AG.

This regards agreements in general.

Topics for Future Meetings

Subject	Priority	Ownership	Schedule
NEPA		Duncan/Ken	November
Co-location Training; Managing Consultants		Doyle Dilley	September
Roster(s) Open every/all year		Duncan	September
Consultant Selection and Contracting, Including Supplemental Agreements			October
Agreements - Draft Recommendation			
Review Process/ Review Principles		John Villager	September
Project Delivery Legal Requirements			September

Topics from the ACEC/WSDOT Annual Meeting

- Contract Administration – administration, change orders, turnaround/approvals.
- Time spent up-front scoping; then scope of work changes.
- Dealing with change.
- Early authorization process.
- Mixed WSDOT/Consultant work leading to delays by specialty groups.
- Review times/iterative reviews.
- New reviewer for each review – who has authority?
- Conflicting comments from reviewers.
- Project management training – differences in experience.
- Cultural shift with reviewers – earlier involvement in project.
- Understand others' accountability.
- Consistent performance/progress measurements across projects.

One-third of the comments from the meeting concern review.

Comment: The more levels of review you have, the lower the level of review each reviewer does. It is harder to make a change if there are a number of reviewers behind you. If someone is reviewing it after you, you may hurry through because someone else will catch any errors.

Headquarters Design is getting out of the end-product review process. How do we communicate that to the regions that use it?

A suggestion was made to require reviewers to be involved in the scoping process. One of the original concepts of MPD was to have everyone on-board throughout the process.

There are different types of reviewers – they may need different levels of involvement.

The team discussed differences in design-build reviews and reviews of other projects.

The key concept is to eliminate the same review by multiple people.

Agreements

- Make a concerted effort to standardize agreements.
- Look at our own policy and decide what we want to have the authority to review ourselves.
- This group needs to help make the development of standardized agreements a high priority.
 - Set up a team to develop a set of standard form agreements.
 - Headquarters Agreements Unit – has so many agreements to deal with, they don't have time to develop standard ones.
 - The group needs to have the right focus – decide what agreements we want to start with.

- Policy changes, so when there is a minor change to an agreement, it doesn't have to go back through the process.
- Develop standard liability clauses.
- There should be thresholds for changes to agreements.

Action Item: Keith Metcalf and Mike Horton will draft and circulate a recommendation on agreements to be given to Headquarters Design.

Share any overlap with consultant agreements with this group.

Legal Requirements

Rick Smith

A group is doing some research to pull together federal and state legal requirements from planning through completion.

They have put together a chart that includes each MDL step that has a legal requirement attached to it. They have given us a synopsis of the legal requirement, how you do it, to whom it should be given, and an example.

The work to develop this list is about 80 percent complete. It should be finished around August.

Action Item: Rick Smith will send the document on legal requirements for project delivery to the team at the end of August for discussion at the September meeting.

Review Process

Having reviewers provide input earlier in the process has worked well.

How do we preserve and lock in the comments that have been made through subsequent reviews?

Multiple ownership is at the heart of the problem. The key is to make one person responsible to decide when the review process is finished.

The developer review process is the process with the most problems in Olympic Region. Any reviewer can stop the process, but no one person can make the call that the review is finished.

Does QA/QC change how we do business today? The QA/QC plan includes who will review and when. The reviewer isn't the problem; it's the process.

A tracking sheet of reviewers' comments and region responses has been used and been shown to help. If you use this, you have to make sure people are commenting in their appropriate field and expertise.

Send a reviewer out early, so they review as the process goes along. “Where we have had review oversight throughout the process, we have had our greatest success.”

Set clear expectations up front that the reviewer buys into. Either bring the reviewer on earlier, or have more standardized agreements. The experience level of the reviewer and designer makes a difference.

Bring the reviewer and designer together to improve communication and avoid further review iterations.

When you are reviewing incomplete documents, it isn’t a review.

Establish fundamentals of review: Comment only on your area of expertise. If you have comments in another area, talk to the appropriate person about it.

Themes:

- Time; one design, one review
- Authority
- Standardized checklist
- Reviewer assigned
- Early alignment of reviewer and team
- Communication
- Who can comment on what?

This appears to be a significant project delivery issue.

Action Item: John Villager will draft some generic review principles for the next meeting.

Action Item: Ken Smith will ask WSDOT Headquarters review staff to provide their tools – checklists, expectations, etc.

Next Meeting

September 9 at the WSDOT CAE Office in Lacey.